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REMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claims 1-22 are pending. Claims 13-16 and 19-22 were rejected under 35 U.S.C. §102(b) as being anticipated by *McGibbon et al.* Applicant respectfully traverses this rejection.

Claim 13 recites that the rearward leaf spring segment is longitudinally movable parallel to the vehicle mainframe. Initially, Applicant recites a rearward leaf spring segment. The Examiner is ignoring this limitation. The leaf spring of *McGibbon et al.* is mounted transverse to the vehicle. The rearward leaf spring segment of *McGibbon et al.* is therefore a longitudinal side (approximately where reference numeral 10 points in Figure 2). The rejection fails for this reason alone.

McGibbon et al. fails even to disclose a vehicle mainframe yet alone that the rearward leaf spring segment is longitudinally movable parallel to the vehicle mainframe. *McGibbon et al.* discloses only a cross member 12. *McGibbon et al.* recites that the "composite leaf spring 10 that is arranged **transversely of the vehicle frame** beneath a cross member 12 thereof and supports at each of its outboard ends the lower end of a front wheel knuckle 14." [See Col 2, lines 20-25, emphasis added] As the composite leaf spring 10 of *McGibbon et al.* is mounted transversely, the leaf spring simply cannot move parallel to the vehicle mainframe.

Claim 14 recites a mount overmolded to the rearward leaf spring segment. *McGibbon et al.* discloses that "The retainer members 26 and 28 physically surround and thus capture the spring and a thin rubber sleeve 32 referred to as an isolator is cement bonded between the retainer members and the spring to prevent chafing of the latter." [See Col 2, lines 42-26] No overmolding whatsoever is disclosed or suggested.

Claim 15 recites slidably retaining the rearward leaf spring segment within a mount. In addition to the elements discussed above, *McGibbon et al.* fails to disclose slidably retaining the rearward leaf spring segment within a mount. In fact, as the composite leaf spring 10 of *McGibbon et al.* is "cement bonded between the retainer members and the spring, the rearward leaf spring segment simply cannot be slidably retained within a mount.

Claims 16-22 each depend from an independent claim which is rejected only under 35

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U.S.C. §103(a). Claims 16-22 therefore cannot be anticipated under 35 U.S.C. §102(b) while their respective independent claims are purportedly rejected as being obvious.

Claims 1-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Duchemin* in view of *McGibbon*. Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to modify *Duchemin* in view of *McGibbon* as proposed. *Duchemin* discloses that the "leaf is preferably constructed without welding from a tube of constant section whose wall has a uniform thickness." [See Col. 2, lines 23-40] The *Duchemin* leaf is hollow in cross-section. [See Figures 3-5]. The Examiner admits that *Duchemin* makes no reference to composite materials. Such hollow cross-section is consistent with a metallic tubular member - the only construction disclosed by *Duchemin*. *Duchemin* makes no mention of a composite material whatsoever.

The entire purpose of *Duchemin* is the manufacture of a leaf spring from a tubular metallic member in which:

The leaf is preferably constructed without welding from a tube of constant section whose wall has a uniform thickness. This tube is then deformed in a die so as to have a section whose width and thickness vary along its length.
[col. 2, lines 23-27]

McGibbon, however, discloses only a solid, completely linear leaf spring 10. There is no motivation to make the proposed combination as such manufacture is inapplicable to a composite material. It is improper to modify the base reference in such a way that it ruins the goal or function of the base reference. The Examiner's proposed modification would do so as a composite material cannot be "deformed in a die." In other words, the Examiner cannot properly just ignore the manufacturing method of the *Duchemin* leaf spring and the reasons for such manufacturing methods without destroying the underlying goal of *Duchemin* - that of providing a lightweight metallic leaf spring which is conducive to heat treatment. [See Col. 1, lines 23-25.] The only motivation to make the combination as proposed is by following the knowledge disclosed within the present invention. This is impermissible usage of hindsight in an attempt to recreate Applicant's device. Accordingly, claims 1-6 are properly allowable.

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Claims 7-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Duchemin* in view of *McGibbon* and further in view of *Davis*. Applicant respectfully traverses these rejections as there is absolutely no teaching, suggestion, or motivation to even modify *Duchemin* in view of *McGibbon* as discussed above. This failure to provide a proper combination defeats the rejection and all claims are allowable for this reason alone. Furthermore *Davis* adds nothing to the proposed combination as *Davis* does not even disclose a composite material leaf spring. The Examiner relies upon *Davis* only to show a solid leaf spring as recited in page 3 of the office action; however, *McGibbon* alone discloses a solid leaf spring. The combination with *Davis* fails to correct the deficiencies of *Duchemin* in view of *McGibbon*.

Even if the combination were properly made, there are differences between the claimed invention and the teachings of the cited references so that the combination does not meet the limitations of Applicant's claims.

Claim 8 recites wherein said shear damper is mounted directly to said rearward leaf spring segment. The purported combination fails to disclose or suggest such a direct mounting.

Claim 9 recites a mount overmolded to said rearward leaf spring segment. The purported combination fails to disclose or suggest such overmolding.

Claim 12 recites said rearward leaf spring segment substantially free to longitudinally slide within said substantially rectilinear mount. The purported combination fails to disclose or suggest such longitudinally sliding within a substantially rectilinear mount as *McGibbon et al.* discloses "cement bonded between the retainer members and the spring to prevent chafing of the latter"; *Duchemin* discloses only a metallic leaf spring and *Davis* discloses only a clamp for a metallic leaf spring.

Claim 21 recites said shear damper is mounted to an upper surface of said rearward leaf spring segment. The purported combination fails to disclose or suggest and such shear damper which is mounted to an upper surface.

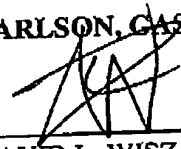
Claim 22 recites said shear damper is generally rectilinear in shape. The purported combination fails to disclose or suggest a rectilinear damper as the Examiner is interpreting the rubber bushing 24 of *McGibbon* as the shear damper.

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Applicant does not claim to have invented the concept of a composite leaf spring. Rather, Applicant has provided a unique composite leaf spring and mounting arrangement. The claims are patentable.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,
CARLSON, GASKEY & OLDS, P.C.



DAVID L. WISZ
Registration No. 46,350
Attorneys for Applicant
400 West Maple, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

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